

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

H.G., an individual,

Plaintiff,

Case No. 19-cv-13622
Hon. Matthew F. Leitman

v.

INTER-CONTINENTAL HOTELS
CORPORATION and
MARRIOTT INTERNATIONAL, INC.

Defendants.

**ORDER GRANTING PLAINTIFF LEAVE
TO AMEND HER COMPLAINT**

On December 9, 2019, Plaintiff H.G., an individual, filed this action against Defendants Inter-Continental Hotels Corporation and Marriott International, Inc. under the federal William Wilberforce Trafficking Victim Protection Reauthorization Act of 2008 (the “TVPRA”). (*See* Compl., ECF No. 1.) In the Complaint, H.G. alleges that she is a survivor of sex trafficking and that the alleged trafficking took place at hotels operated by and/or affiliated with the Defendants. (*See id.*)

Defendants have now each filed motions to dismiss H.G.’s Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). (*See* Mots., ECF No. 10, 11.) Defendants argue, among other things, that (1) H.G. has failed to plead sufficient

facts to support the essential elements of her TVPRA claim and to hold Defendants liable for the alleged trafficking (*see, e.g.*, ECF No. 10, PageID.103; ECF No. 11, PageID.138), (2) H.G. has used impermissible “group” pleading that “fails to attribute specific factual allegations to specific defendants” (ECF No. 11, PageID.151; *see also* ECF No. 10, PageID.124-125), and (3) H.G.’s claims are time-barred (*see* ECF No. 10, PageID.102-103; ECF No. 11, PageID.140).

Without expressing any view regarding the merits of the motion to dismiss, the Court will grant H.G. the opportunity to file a First Amended Complaint in order to remedy the purported pleading defects that Defendants have raised in their motions to dismiss. The Court does not anticipate allowing H.G. another opportunity to amend to add factual allegations that she could now include in her First Amended Complaint. Simply put, this is H.G.’s opportunity to allege any and all additional facts, currently known to her, that may cure the alleged pleading deficiencies in the Complaint and that could support the essential elements of her claim.

By **February 25, 2020**, H.G. shall notify the Court and Defendants in writing whether they will amend the Complaint or respond to the motion to dismiss. If H.G. provides notice that she will be filing a First Amended Complaint, she shall file that amended pleading by no later than **March 10, 2020**, and Defendants shall answer or otherwise respond to it by no later than **April 7, 2020**. Upon the filing of a First

Amended Complaint, the Court will terminate without prejudice Defendants' currently-pending motions to dismiss as moot. If H.G. provides notice that she will not be filing a First Amended Complaint, she shall file responses to Defendants' motions to dismiss in accordance with the Court's Local Rules.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: February 11, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 11, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(810) 341-9764